

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

RAJU A.T. DAHLSTROM,

Plaintiff,

v.

LIFE CARE CENTERS OF AMERICA,  
INC. ET AL.,

Defendants.

CASE NO. 2:21-cv-01465-JHC

ORDER


This matter comes before the Court on Mount Vernon Operations, LLC’s Motion to Dismiss Plaintiff’s Complaint Pursuant to FRCP Rule 12(b)(6) (Dkt. # 11), Motion for More Definite Statement (Dkt. # 16), and Defendants Sunrise Care Services, Inc., Closser, Saville, Pattock, and Anderson’s Motion to Dismiss (Dkt. # 87). Since the filing of these motions, Plaintiff filed his First Amended Complaint. Dkt. # 110.

In the Ninth Circuit, the filing of “an amended complaint supercedes the original complaint and renders it without legal effect.” *Lacey v. Maricopa Cnty.*, 693 F.3d 896, 927 (9th Cir. 2012). “Courts often apply this rule to motions to dismiss a complaint that has since been superseded and deny such motions as moot.” *Bisson v. Bank of Am., N.A.*, No. C12-0995JLR, 2012 WL 5866309, at \*1 (W.D. Wash. Nov. 16, 2012) (collecting cases). Plaintiff’s amended

1 complaint has superseded the original complaint and is now the operative pleading in this  
2 proceeding. Accordingly, the Court STRIKES the above three motions as moot. *See Caldwell v.*  
3 *Boeing Co.*, No. C17-1741JLR, 2018 WL 2113980, at \*3 (W.D. Wash. May 8, 2018) (“the court  
4 denied Boeing’s first motion to dismiss as moot because Mr. Caldwell’s second amended  
5 complaint superseded his original complaint and rendered his original complaint without legal  
6 effect.”). If appropriate, the movants may resubmit any of the arguments in their motions; but  
7 they must direct any such argument toward the amended complaint and consider any relevant  
8 developments in the case.

9 The Clerk is directed to send uncertified copies of this Order to all counsel of record and  
10 to any party appearing pro se at said party’s last known address.

11 Dated this 13th day of October, 2022.

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13 John H. Chun  
14 United States District Judge  
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